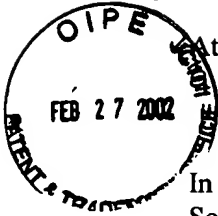


COPY OF PAPERS
ORIGINALLY FILED



Attorney's Docket No. 5470.250

#12
MP
5/11/02
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Boucher, Jr. Group Art Unit: 1617
Serial No.: 09/465,429 Examiner: Shengjun Wang
Filed: December 21, 1999
For: *COMPOUNDS AND METHODS FOR THE TREATMENT OF
AIRWAY DISEASES AND FOR THE DELIVERY OF AIRWAY DRUGS*

February 20, 2002

Commissioner for Patents
Washington, DC 20231

RESPONSE TO THE RESTRICTION REQUIREMENT

Dear Sir:

Remarks

This is in response to the Restriction Requirement of October 4, 2001. A Petition to Re-start the Time Period for Responding is submitted concurrently herewith, as the original Restriction Requirement mailed October 4, 2001 was never received by Applicant or its representatives. The undersigned learned of the Restriction Requirement when a check of the status of this case by the PAIR system was made, and when the Examiner then kindly sent a copy of the Restriction Requirement by facsimile.

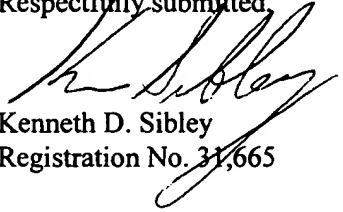
In response to the requirement for species election set forth in the October 4, 2001 action, Applicant hereby elects (a) salt, particularly potassium sulfate, as the osmotically active compound, (b) cystic fibrosis as the disease afflicting the subject, and (c) inhalation as the administering method. Claims 22-29, 31-32, 37, and 44-50 are readable on the elected species of osmolyte. Claims 22-29, 31-43, 44, and 49-50 are readable on the elected disease. Claims 22-29, 31-48, and 49 are readable on the elected species of administration.

In re: Boucher, Jr.
Serial No.: 09/465,429
Filed: December 21, 1999
Page 2

The assistance of the Examiner is acknowledged with appreciation.

It is submitted that this case is in condition for substantive examination, which action is respectfully requested.

Respectfully submitted,


Kenneth D. Sibley
Registration No. 31,665

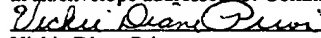


20792

PATENT TRADEMARK OFFICE

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231, on February 20, 2002.



Vickie Diane Prior

Date of Signature: February 20, 2002

#234471